

**COUNTY OF BRANT COUNCIL MINUTES**

**SPECIAL MEETING RE: FORTISONTARIO PROPOSAL**

Council Chambers, Paris  
Tuesday, October 15, 2008  
5:10 p.m.

**Present:** Mayor Eddy, Councillors Wheat, Schmitt, Simons, Haggart, Powell, Atfield, Coleman and Gatward.

**Regrets:** Councillor Chambers and Hodge.

**Others:** Andrew Wright, Solicitor; Terry Collins, Bruce Noble, Bruce Poland and Jim McNeil, Brant County Power.

**Staff:** Fiebig, Glassford, Compeau, Johnston, Underwood, Bell and Carman.

Mayor Eddy in the Chair.

**APPROVAL OF AGENDA**

Moved by – Councillor Coleman  
Seconded by – Councillor Powell

That the Brant County Council agenda for the October 15, 2008 meeting be approved as distributed.

. Carried

**DELEGATIONS/PRESENTATIONS/PETITIONS**

**Ella Haley**

Ella Haley noted her concerns and that of many other County residents with the proposal of FortisOntario to purchase a 10% share of Brant County Power. Due to the fact that the County has so many projects underway, Ms. Haley is concerned that the residents are unaware of this proposal and she suggested that the process be slowed down. Because this is a publicly traded company, she has concerns about the economics of the proposal and the privatization of a portion of a publicly owned utility that belongs to future generations of this municipality. Ms. Haley advised that a decision on the proposal should be made through a referendum. In response to questions, Ms. Haley suggested that if a change must be made, it would be preferable to merge with Brantford Power. In response to a request to substantiate “many people”, Ms. Haley noted that this included a number of people, but did not provide specific names.

**CORRESPONDENCE**

1. Notice from the Ministry of Finance of an extension of the Electricity transfer tax exemption for Ontario municipalities to October 17, 2009.

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2. Letter from Lynn Pratt, questioning FortisOntario purchase of a share of Brant County Power

Moved by – Councillor Gatward  
Seconded by – Councillor Powell

That the letter from Lynn Pratt regarding the FortisOntario purchase of a share of Brant County Power be referred to staff to address the questions posed.

. Carried

3. Letter from Gary Graham objecting to the sale of a 10% share of Brant County Power to FortisOntario Inc.

Moved by – Councillor Coleman  
Seconded by – Councillor Powell

That the letter from Gary Graham objecting to the sale of a 10% share of Brant County Power to FortisOntario be received.

. Carried

### **PROCESS FOR MEETING**

In response to a question regarding discussion of this matter during an In Camera Session, Andrew Wright, the County's Solicitor, advised that his report was Solicitor/Client information that should be discussed In Camera. As well, the proposed agreements were subject to further negotiations, and as such should be discussed in camera. However, any decision on the Definitive Agreement must be made in Open Session and approved by by-law in Open Session. Mr. Wright advised that he understood that FortisOntario had waived the requirements of the confidentiality agreement in order that the Definitive Agreement could be made public during the approval process. It was noted that although a the tax holiday has been extended, the regulations to implement this change may take some time to process, which may result in the Ontario Energy Board not processing any applications until this has occurred.

**In Camera at 5:45 p.m. to discuss matters of a Solicitor/Client matter, with the Brant County Power Board members and CEO in attendance**, on motion of Councillors Gatward and Wheat.

This portion of the meeting is recorded in the In Camera – Confidential Brant County Council minutes dated October 15, 2008.

**Open Session at 6:10 p.m.**, on motion of Councillors Wheat and Simons.

### **NEXT MEETING**

Moved by – Councillor Wheat  
Seconded by – Councillor Schmitt

That a special meeting of Brant County Council be held on Thursday, October 23 at 7 p.m. to consider the proposal from FortisOntario Inc. to purchase a 10% share of Brant County Power Inc.

. Carried

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The meeting adjourned at 6:12 p.m.

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Mayor

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Date Minutes Approved

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Clerk